

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

(1) VICKI JO RUTLEDGE)	
)	
Plaintiff,)	
)	
vs.)	Case No. 20-cv-103-SPS
)	
(1) UNITED STATES OF AMERICA)	
)	
Defendant.)	

COMPLAINT

COMES NOW the Plaintiff and for her claims against the Defendant alleges and states as follows:

1. This action arises under 28 U.S.C. § 1346(b) and § 2671, et seq.
2. Plaintiff's Federal Tort claim was submitted on July 22, 2019. No denial has been received. Plaintiff deems the claim denied as a matter of law.
3. Plaintiff has complied with 28 U.S.C. § 2401(b) and 2675(a).
4. The acts and omissions complained of herein occurred in Durant, Oklahoma in the jurisdiction of the Eastern District of Oklahoma.
5. The Defendant by and through the Indian Health Service and Choctaw Nation operated a medical center known as Choctaw Nation Durant Regional Medical Clinic.
6. Plaintiff, Vicki Jo Rutledge, was a patient of Defendant at Choctaw Nation Durant Regional Medical Clinic in May 2018 for the purposes of receiving medical care and treatment to her eyes.
7. Defendant and its employees, agents, servants and ostensible agents and servants were negligent in failing to appropriately perform YAG laser capsulotomy surgery on Plaintiff's eye.

8. As a direct and proximate result of the negligence of the Defendant and its employees and agents and servants, Plaintiff suffered permanent injury and vision loss.

9. Plaintiff's damages are in excess of \$75,000.00.

WHEREFORE, Plaintiff prays judgment against these Defendants, and each of them, for a sum in excess of Seventy-Five Thousand Dollars (\$75,000.00), costs incurred and any other relief which this Court deems appropriate.

Respectfully Submitted,

s/ Heather Mitchell

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